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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,314	01/21/2004	Hiroki Yamamoto	03500.000047.	1541
5514 7590 12/11/2007 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER NEWAY, SAMUEL G	
			ART UNIT 2626	PAPER NUMBER
			MAIL DATE 12/11/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/760,314

**Applicant(s)**

YAMAMOTO, HIROKI

**Examiner**

Samuel G. Neway

**Art Unit**

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 October 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2,8-12 and 22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,8-12 and 22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This is responsive to the Amendment filed on 17 October 2007.
2. Claims 2, 8 – 12, and 22 are still pending, claims 1, 3 – 7, 13 – 21, and 23 – 24 have been cancelled.

### ***Response to Amendment***

3. The Claim Objections are withdrawn in view of Applicant's amendments.
4. The 35 USC § 101 rejections are withdrawn in view of Applicant's amendments.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 2, 8 – 12, and 22 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 8 – 12, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (USPN 6,308,151) in view of Groner (USPN 6,507,643).

Claim 2:

Smith discloses a method for creating a speech recognition dictionary that is used for creating first document data through voice input in an application (Abstract), the method comprising the steps of:

receiving mail (FIG. 4, step 52 and related text);

obtaining a speech recognition dictionary for mail creation (col. 6, lines 25-28).

Smith does not explicitly disclose obtaining the dictionary from a plurality of dictionaries depending on the source of the received mail.

In a speech recognition system for converting a caller's voice mail into a textual email, Groner discloses obtaining a dictionary (voice file) from a plurality of dictionaries depending on the source (caller) of the received mail ("If the caller is identified, a caller-specific voice file may be used to facilitate speech recognition for generation of the text message file", Abstract. See also col.12, lines 37-42 and col. 12, line 61 to col. 13, line 8).

It would have been obvious to one with ordinary skill in the art at the time of the invention to have used a Groner's plurality of dictionaries in Smith's method in order to "facilitate speech recognition for generation of the text message file" (Groner, Abstract).

Smith further discloses creating the speech recognition dictionary for mail creation corresponding to the transmission source if it is not obtained (FIG. 4, step 70 and related text)

detecting if a reply mail creation processing to the received mail is started (FIG. 4, step 52 and related text);

reading the received mail when the reply mail creation processing is started (FIG. 4, step 56 and related text);

analyzing the received mail read and extracting at least one unknown word therefrom that does not exist in the obtained or created speech recognition dictionary (FIG. 4, step 58 and related text); and

updating the obtained or created speech recognition dictionary by adding the at least one unknown word (FIG. 4, step 70 and related text).

Claim 8:

Smith discloses a method according to claim 2, further comprising the steps of: detecting if the mail creation processing is completed; and deleting the speech recognition dictionary when the mail creation processing is completed (FIG. 4, step 78 and related text).

Claim 9:

Smith discloses a method according to claim 2, further comprising the steps of: storing time information indicating when the speech recognition dictionary is updated; and deleting the speech recognition dictionary when a specified period of time has elapsed from a time indicated by the time information ("it may be desirable to delay removal of the updates until after the sequence of related E-mails has been completed. Thus, conventional delaying schemes may be implemented, if desired. Automated delaying schemes may comprise a fixed time delay following satisfactory dictation of a responsive E-mail", col. 6, lines 24-31).

Claim 10:

Smith discloses a method according to claim 9, wherein the time information indicates date and time when the speech recognition dictionary is updated (delaying schemes may comprise a fixed time delay following satisfactory dictation of a responsive E-mail", col. 6, lines 24-31. Note that date and time information is inherent in a fixed time delay).

Claim 11:

Smith discloses a method according to claim 2, wherein the at least one unknown word includes a plurality of unknown words, and the method further comprising the steps of:

storing registration time information for each of the plurality of unknown words, when the unknown word is added to the speech recognition dictionary; and deleting each one of the plurality of unknown words when a specified period of time set for the each one of the plurality of unknown words has elapsed from a time indicated by the time information ("it may be desirable to delay removal of the updates until after the sequence of related E-mails has been completed. Thus, conventional delaying schemes may be implemented, if desired. Automated delaying schemes may comprise a fixed time delay following satisfactory dictation of a responsive E-mail", col. 6, lines 24-31).

Claim 12:

Smith discloses a method according to claim 11, wherein the registration time information indicates date and time when the each of the plurality of unknown words is added (delaying schemes may comprise a fixed time delay following satisfactory

dictation of a responsive E-mail", col. 6, lines 24-31. Note that date and time information is inherent in a fixed time delay).

Claim 22:

Claim 22 is similar in scope and content to claim 2 and is rejected with the same rationale.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel G. Neway whose telephone number is 571-270-

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1058. The examiner can normally be reached on Monday - Friday 8:30AM - 5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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